

APPROVED: Meeting No. 32-87

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 45-86

December 15, 1986

The Mayor and Council of Rockville, Maryland, convened in work session in the City Manager's Conference Room, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland on December 15, 1986, at 6:30 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman Jim Coyle

Councilman Peter Hartogensis

Councilman Doug Duncan

The Mayor in the Chair.

In attendance: City Manager Richard V. Robinson, City Attorney Paul Glasgow, City Clerk Carol A. Kachadoorian.

The Elections Task Force Report was reviewed. There being no further business to come before the Council in work session, the meeting was closed for general session.

Re: Viewing of Portraits

At 7:45 p.m. the Mayor and Council were invited to the Mayor's Office to view portraits of the current and past three Mayors of the City that have recently been hung in the Mayor's Office. Mayor Viola Hovsepian, Mayor Freeland, and Mayor Hanna were also in attendance.

Re: General Session

The Mayor and Council convened in general session in the Council Chamber,

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Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday,
December 15, 1986, at 8:09 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman Jim Coyle

Councilman Peter Hartogensis

Councilman Doug Duncan

The Mayor in the Chair.

In attendance: City Manager Richard V. Robinson, City Attorney Paul
Glasgow, City Clerk Carol A. Kachadoorian.

Mayor Van Grack introduced former Mayors Viola Hovsepian, Dickran Hovsepian,
William Hanna, and John Freeland who were in attendance at the meeting.

Re: Invocation

The invocation was provided by former Mayor William Hanna, Jr.

Re: City Manager's Report

City Manager Richard Robinson reported the following:

1. The City's Holiday Poinsettia Sale had been successful in selling 240
plants and raising \$300. The money raised through the sale goes to the Elwood
Smith Park Council for activities provided by the Council.

2. The City is 13 days behind its leaf collection schedule, and it is hoping
to catch up with the schedule by the first of the year. To try to avoid a
similar situation in future years, the City plans to provide additional
equipment next year. In response to a question from Councilman Hartogensis,
Mr. Robinson reported that the delay in the schedule was due to the excess
amount of rain the City had received in the fall causing difficulties in
collecting the wet leaves.

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3. The Mayor and Council were notified that the Drug Awareness Campaign activities is continuing with Ken Jenkins, a kick return specialist with the Washington Redskins, speaking on behalf of the City's Drug Awareness Campaign at the four high schools in Rockville. The students will hear Mr. Jenkins at Mark Twain Alternative High School, Rockville High School, Wootton High School, and Richard Montgomery High School on Tuesday, December 16.

4. The City has been notified that the Montgomery County Executive will request \$375,000 from the State Highway Administration to provide a 135-space parking lot at Hungerford Drive and Park Road. The parking lot will be developed on land owned by The Washington Metropolitan Area Transit Authority near the Rockville Station.

5. Nancy Bullough, Acting Public Information Officer, has been published in the 15th edition, 1987-88 of Who's Who of American Women. This volume contains considerable representation of women in all areas of government. Selection of names for inclusion in Who's Who of American Women is based on occupational stature and/or achievement as derived from contemporary sources such as newspapers, periodicals, and professional associations.

6. The Mayor and Council are referred to a letter received from Ms. Jean Brady of Victory Housing, Inc. In the letter, Ms. Brady asks the City to assist Mary's House in providing additional housing for senior citizens.

Re: Mayor's Report

Mayor Van Grack reported that the City's annual Employee Holiday Party was held on Friday, December 12, 1986. He noted that the spirits were good at the party and thanked all employees for the work they do throughout the year.

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Re: Presentations

Tony Bullard of the Rockville Rotary presented a check to the Mayor and Council in honor of Dr. Lithicum who had been practicing medicine in Rockville since 1928. Dr. Lithicum, who was present at the meeting, was introduced by Mayor Van Grack. Former Mayor John Freeland recognized the City staff for their work in making the Rockville Rotary Run possible. He presented a check to Mayor Van Grack for the proceeds of the run. In all, the Rotary provided more than \$10,000 in cash and services to the City.

Re: Appointments

Mayor Van Grack made the following appointment, which was confirmed by the Council:

Cultural Arts Commission: Judy Greenberg - 2 year term
2304 Chillum Place

Re: Proclamation: "Missing
Children Prevention Week,"
December 15-20, 1986

With the consent of the Mayor and Council, the proclamation declaring December 15-20 as Missing Children Prevention Week was placed before Citizen's Forum on the agenda. Boys from the Montgomery County Boys and Girls Club were present at the meeting. On a motion from Councilman Abrams, duly seconded, the proclamation was unanimously passed by the Mayor and Council.

Mayor Van Grack urged all those present to stop by at the Boys and Girls Club, 1010 Grandin Avenue, to see the programs run by the Club. The Mayor was presented with a shirt from the Club and designated as an honorary member of the Montgomery County Boys and Girls Club.

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Re: Citizen's Forum

Mayor Van Grack introduced Delegate Mike Gordon and thanked him for his service to the Rockville community.

1. Bob Elion, 5 Henley Court, addressed the Mayor and Council regarding a proposal for a Consumer Action Panel (CAP). This panel would be created to inform Rockville residents about consumer services and answer questions they might have. Mr. Elion suggested that a telephone line be dedicated in City Hall for the Consumer Action Panel and that a staff of volunteers answer telephone calls 7 days a week. He suggested that the CAP could be provided in conjunction with the City's Department of Community Services. He distributed materials to the Mayor and Council on his experience with consumer problems and issues.

Mayor Van Grack suggested that budget time would be the most appropriate time to consider such a proposal more fully. Councilman Coyle suggested a more formal information and referral service for the City, concluding that the idea warrants consideration. Councilman Abrams suggested that such an effort would cost in excess of \$100,000 for the staff identified by Mr. Elion and offered that such an activity would be more appropriate for volunteerism such as a new commission.

Mayor Van Grack asked for a written proposal from Mr. Elion so that staff can provide an analysis.

2. Mimi Vitol, 11 Wall Street, queried the Mayor and Council with regard to Christmas decorations in the City during the holiday season. City Manager Robinson advised Ms. Vitol that the Christmas decorations that the City normally puts up are currently on display and that additional decorations on light poles and the like were discontinued seven years ago. Further, he noted that the City

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relies on merchants to put up holiday decorations. Councilman Duncan concurred that additional decorations would be beneficial and identified some places where the City might consider putting them up. He suggested that the issue be discussed during the FY 1988 budget formulation process.

3. Reverend Mansfield Kaseman, 704 Carter Road, wished the Mayor and Council and staff a joyous Christmas and Hanukkah season. He complimented staff on a work session held several weeks ago on affordable housing. He noted that the \$10,000 contributed by the City to the Gude Drive Shelter currently and temporarily in operation at the Fleet Street School, has opened with nine men receiving shelter the first night. He urged the Mayor and Council to support the Jerusalem-Mt. Pleasant Housing Project for seniors.

Councilman Coyle thanked Community Ministries for all its work, noting that it was good to see increased number of groups of citizens involved in services. He concluded that the City needs more volunteers now. Reverend Caseman noted that volunteers are needed at the shelter between the hours of 5 and 11 p.m., along with blankets. Anyone who can volunteer or provide blankets should call Community Ministries at 762-8682.

Councilman Abrams asked the City Manager about City staff contacts with the Department of Housing and Urban Development regarding funding for shelters.

4. George Brooks, Twinbrook neighborhood, addressed the Mayor and Council regarding the City's Twilight Run and Drug Awareness Program, police services, and leaf collection.

5. Ruppert Curry asked the Mayor and Council to postpone its decision on the Jerusalem-Mt. Pleasant Housing Project until the Mayor and Council are certain of the direction it wishes to take. He suggested that there is not a consensus among the two churches as to how they wish the proposed project to be developed.

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In response to a question from Mayor Van Grack, Mr. Curry responded that the governing bodies of both churches have not voted "yes" to the project. He noted that they may choose to do so in the future, and at that time, would decide on how to handle granting the development group corporation the land.

Re: Consent Agenda

On a motion from Councilman Abrams, duly seconded, and unanimously passed the following items were approved as part of the consent agenda.

Re: Approval of Renovations at
the Senior Center

The decision was made and verbal approval granted to develop plans to consolidate the office of the Senior Services Division of the Recreation and Parks Department at the Rockville Senior Center. The primary purpose for this move is to provide "one-stop shopping" for Rockville senior citizens at the center, including access to all staff and services. Staff communication, coordination of effort, and contact with constituents will all be dramatically improved.

Detailed plans and specifications have been drawn up for construction of three new offices in what is now the lounge, located adjacent to the existing office complex. These plans also include some adjustments to the existing office, in order to provide sensible office assignments and traffic flow. In addition, staff is proposing to provide space for a new and larger gift shop as part of this plan. The gift shop has developed into a major revenue resource for R.S.I. and therefore the center. The new gift shop space will approximately double the selling space. A copy of the drawing for the proposed plan accompanies this memo.

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The cost for this project can be divided into three major components:

1. Construction of Walls/Lighting/Electric/Demolition:
Two estimates were received from local construction companies for this part of the project, one for \$30K, the other \$50K. Staff believes a budget amount of \$35K will be sufficient for the work.
2. H.V.A.C.: This section of the building is currently heated by the central system, and air conditioned by 5 "window units." Staff proposes to remove all of these air conditioners and install a single roof-mounted, 10-ton unit which will provide air conditioning and, with a tie-in to the main boilers, heat for this entire quadrant of the building. This proposal follows the master plan for eventually air conditioning the entire center with units, each designed to handle a large zone of the building. Staff received an estimate for this work from our contracted HVAC maintenance company of \$24,400.
3. Phones: The phone system, of course, must be significantly expanded with the larger staff group. A copy of the proposed phone plan is attached. Staff received a quote from Executone Atlantic to install a new key service unit, 7 new phone sets, and other necessary equipment is \$4,500.

The total estimated cost of the project, for budget purposes, therefore, is:

Construction/Demolition	\$35,000
H.V.A.C.	\$24,400
Phones:	\$ 4,500
Contingency (2%)	\$ 1,300
Total	\$65,200

Staff is prepared to send out bid packages immediately and would like to see this project completed by December 15, 1986.

Re: Acquisition of Property -
Halpine Road/Halpine
Avenue

For some time, the City has been conducting negotiations with Mr. Milton Diener regarding the acquisition of a tract of land at the rear of the "Diener" Store on Rockville Pike for the realignment of Halpine Road and Halpine Avenue. The intent of the negotiations has been to secure the property at little cost by dedication from the property owner. Mr. Diener would benefit by obtaining a tax

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write-off for making a gift of the property as right-of-way. Mr. Diener is anxious to settle this matter before the end of the calendar year prior to the advent of the Tax Act of 1986 on January 1, 1987.

In this regard, Mr. Diener has submitted a proposed agreement and a deed. The agreement contains one provision which we cannot accept at the present time. Mr. Diener has established the value of the property at \$168,663.50, an amount which has not been substantiated as yet by an independent appraisal. The property is being appraised at this time; however, Mr. Diener will not receive the report until after the first of the year. The property was appraised for the City in July of 1985 at \$94,500. It does not appear that the estimation of value is critical at this point. That matter can be resolved by Mr. Diener in the future.

It is recommended that the City accept the "gift" of the 3,373 square foot right-of-way for the realignment of Halpine Road and Halpine Avenue in accordance with the following terms and conditions:

1. The property owner will secure an independent appraisal of the property by January 15, 1987. The deed will be recorded among the Land Records of Montgomery County prior to the end of this calendar year.
2. The owner is desirous of installing a parking lot on the severed portion of the property. The City agrees to pay the Owner \$10,000.00 to accomplish this installation. The Owner must, however, obtain all necessary site plan approvals, use permits, and occupancy permits required by the City of Rockville. It is also understood that the owner may petition in the future for abandonment of certain excess right-of-way in Halpine Avenue. The abandonment procedure is to be treated independently. The City is under no obligation to approve any such abandonment as a result of this dedication.
3. The City agrees that the new street to be installed pursuant to this agreement will have the same grade level as the existing adjacent streets, and will provide for proper and adequate drainage when complete.
4. The City agrees to submit the final plans for installation of the street to the owner for review prior to the installation of same. The right of review shall not be construed to require any approval by the owner.

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5. The owner will deed to the City a 3.373 square foot parcel in fee simple along with a ten foot wide temporary construction slope easement.

The Department of Public Works and the City Attorney have been consulted in these matters. A copy of the deed executed by Messrs. Milton and Walter Diener is attached for your reference.

It is, therefore, recommended that the Mayor and Council approve accepting the dedication of the 3,373 square foot tract of land under the terms and conditions stated above.

Re: Resolution of Intent to
authorize the City Manager
to solicit bids for
lease/purchase of IBM
computer equipment

Resolution No. 45-86

On a motion from Councilman Abrams, duly seconded and unanimously passed, Resolution No. 45-86, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council was adopted by the Mayor and Council.

Re: Storm Water Management
Waiver #10-87-603,607, 734
Anderson Avenue

These three vacant lots containing approximately a total of 0.6 acres of land in the Watts Branch Drainage area are located on Anderson Avenue in close proximity to each other. Lots 21 and 23, Block 7 are situated on the north side of Anderson Avenue approximately 350 feet east of Mannakee Street. Lot 38, Block 3 is situated on the south side of Anderson Avenue approximately 1,000 feet west of Mannakee Street. The developer is going to build a single family dwelling on each lot.

This development will cause an additional 0.15 acres of imperviousness. On-site SWM facilities are not recommended for individual single family homes because of the space limitations on the lots and the potential for water problems, such as wet basements, caused by placing the SWM facility too close to the house.

The runoff from these lots is conveyed by an existing storm drain system to Woodley Garkens Park where it enters Watts Branch. The additional runoff will be controlled downstream at the proposed Wootton Mill SWM facility. I recommend that a waiver be granted and that a contribution of \$3,000 (0.15 acres at \$20,000 per impervious acre) be accepted toward the City's off-site SWM program.

Re: Decision on Request for
funding for feasibility
study of Jerusalem-Mt.
Pleasant Senior Citizens
Housing Development

Mayor Van Grack thanked Arlene Simons for the modifications and the proposal which she had made. Councilman Duncan asked for a response from the Senior Housing Development Group to Mr. Curry's statements. Reverend Moser and Mr. Jackson from the Housing Group advised the Mayor and Council that the Board of the Senior Citizens Housing Development Corporation was elected from the administrative boards of the two churches. Board members are directed to explore the possibility of senior housing. The proposal from Ms. Simons was presented at a joint meeting of the churches administrative boards in summer 1986. There was consensus to do a feasibility study and present findings back to the administrative boards. Mayor Van Grack asked if the church would consider selling the land and if the corporation would be willing to work with Mary's House and other groups on housing needs for seniors in the City. Mr. Jackson responded that the corporation is not in a position to consider

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selling the land, and Ms. Simons said that the full scope of the study suggested by Mayor Van Grack would have to be reviewed to see what would be involved.

Councilman Abrams stated that the Mayor and Council are looking for a commitment regarding the proposed development and other non-profit corporations concerned with housing for seniors. He stated that the Mayor and Council are excited about the volunteer group's efforts; however, he expressed concern that the site may not be feasible, and therefore, does not want to limit the scope of the feasibility study. He suggested using the site as a resource that could yield a result in another location. Reverend Moser responded that the corporation is open to investigating options and that he would bring the matter back to the joint boards for a decision.

In response to a question from Mayor Van Grack, Reverend Moser noted that should the feasibility study indicate that development is not feasible at that site the corporation would consider using the parcel of land as a resource for other locations but could not make that commitment for sure. He reaffirmed the corporation's and the churches' support for housing on the parcel of land currently owned. Councilman Abrams noted that it appears the new language in the proposal indicates a stronger commitment to alternative sites than the congregations are willing to make at this time. However, Mr. Jackson responded that the corporation will explore as many options as the current funding level for the study will allow.

Councilman Hartogensis advised the corporation of problems it might encounter when examining other sites such as acceptance by a neighborhood and willingness of a property owner to sell. He suggested that the property owned

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by the Mt. Pleasant and Jerusalem Churches is a known quantity in that the answers to these questions are known by the community.

Councilman Coyle concluded that there is a certain degree of risk in doing the feasibility study; however, he observed that there are assurances from the non-profit corporation that the dollars will be spent wisely and suggested that he favored moving ahead with the feasibility study. Councilman Duncan asked why the Mayor and Council should support a project that is not currently allowed by the zoning ordinance. He noted, however, that it is reasonable to expect that the City can work something out.

Mayor Van Grack summarized the concerns expressed by the Mayor and Council during the discussion by identifying three conditions on the study: First, that the \$10,000 grant from the State and the \$5,000 in kind contribution be forthcoming; second, that the Housing Corporation work with other groups such as Victory Housing to identify the other needs for senior housing in the community; and third, that the feasibility study be expanded in scope to examine the possibility of other available sites.

On a motion from Councilman Duncan, duly seconded, the Mayor and Council considered approval of the funding subject to the conditions identified by the Mayor with funding to come from the Mayor and Council's Targets of Opportunity Account. Councilman Abrams offered an amendment to the motion, duly seconded, that funding come from the Housing Fund.

In response to a question from Mayor Van Grack, Doug Horne, Director of the Department of Community Development and Housing Assistance, advised the Mayor and Council that there was \$104,000 in the Housing Fund. The vote on the amendment was 3 to 2 passing, and the vote on the main motion was 5 to 0.

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Re: Approval of Minutes

On a motion from Councilman Duncan, duly seconded and unanimously passed, the minutes of Meeting 35-86 were approved as written. On a motion from Councilman Duncan, duly seconded, and unanimously passed, the minutes of Meeting 36-86 were approved as written.

Re: New Business

1. Peter Hartogensis asked the City Manager to have staff review the City working with planned unit developments such as New Mark Commons on street maintenance needs. For example, he suggested that developments such as New Mark Commons piggybacking on City bids for infrastructure maintenance items.

2. Councilman Abrams also asked that other issues with respect to homeowners associations be reviewed for the possibility of bringing them into the City's purview. He asked that more details on this item be included in the budget for Fiscal Year 1988.

3. Councilman Coyle moved, duly seconded and unanimously passed, that the Science and Technology Commission be directed to review underground vaults.

4. Councilman Coyle asked that the report on traffic on Ritchie Parkway and Fairway Court be made available to residents.

5. Mayor Van Grack noted that the Mothers Against Drunk Driving Organization (MADD) is beginning its campaign for the holiday season. The Mayor asked that the City join in the campaign by tying red ribbons on the left door handles of all City cars. On a motion from Councilman Duncan, duly seconded and unanimously passed, the Mayor's idea was endorsed.

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Re: Executive Session

On a motion from Councilman Abrams, duly seconded, and unanimously passed, the meeting was closed for Executive Session at 9:55 p.m. to discuss the acquisition of real property and litigation.

Re: Adjournment

There being no further business to come before the Mayor and Council in Executive Session, the meeting was adjourned at 10:30 p.m. to convene again in work session on January 5, 1987, or at the call of the Mayor.